United Nations A/58/341

General Assembly

Distr.: General
3 September 2003

Original: English

Fifty-eighth session
Item 112 of the provisional agenda*
Advancement of women

Status of the Convention on the Elimination of All Forms of Discrimination against Women

Report of the Secretary-General

Summary

The present report is submitted in compliance with General Assembly resolution 57/178 of 18 December 2002, on the Convention on the Elimination of All Forms of Discrimination against Women, in which the Assembly requested the Secretary-General to submit to it at its fifty-eighth session a report on the status of the Convention and the implementation of that resolution.

* A/58/150.

03-48935 (E) 250903

Contents

		Paragraphs	Page
I.	Status of the Convention on the Elimination of All Forms of Discrimination against Women	1–5	3
II.	Status of the Optional Protocol to the Convention	6–7	3
III.	Committee on the Elimination of Discrimination against Women	8–18	4
	A. Capacity to fulfil its mandate	8–12	4
	B. Working methods of the Committee	13–16	5
	C. Working methods with regard to the Optional Protocol	17–18	6
IV.	Efforts to encourage universal ratification of the Convention and its Optional Protocol and acceptance of the amendments to article 20, paragraph 1, of the Convention	19–21	6
V.	Technical assistance provided to States parties	22–25	7
VI.	Dissemination of the Convention, its Optional Protocol and information on the work of the Committee	26	8

I. Status of the Convention on the Elimination of All Forms of Discrimination against Women

1. The Convention on the Elimination of All Forms of Discrimination against Women was adopted by the General Assembly by resolution 34/180 of 18 December 1979. It was opened for signature, ratification and accession in New York on 1 March 1980 and, in accordance with article 27, entered into force on 3 September 1981.

2. As at 31 July 2003, 174 States parties had ratified, acceded or succeeded to the Convention, of which 62 had acceded to it and 7 had succeeded to it. In addition, three further States were signatories to the Convention. This represents an additional four ratifications since the submission of the last report (see A/57/406 and Corr.1, covering the period up to 31 August 2002). The most recent States to ratify or accede to the Convention were Afghanistan, on 5 March 2003, the Syrian Arab Republic, on 28 March 2003, Timor-Leste, on 16 April 2003, and Sao Tome and Principe, on 3 June 2003. The list of States parties to the Convention and the dates of their ratification or accession to the Convention is contained in the report of the Committee on the Elimination of Discrimination against Women on its twenty-eighth and twenty-ninth sessions (A/58/38).

3. As at 31 July 2003, 40 States parties had deposited with the Secretary-General instruments of acceptance to the amendment to article 20, paragraph 1, of the Convention, relating to the periodicity and duration of the meetings of the Committee. The additional five acceptances since the submission of the last report were by the following States parties: Andorra, on 14 October 2002, Bahamas, on 17 January 2003, Japan, on 12 June 2003, Luxembourg, on 1 July 2003, and Mauritius, on 29 October 2002.

4. During the period 1 September 2002 to 31 July 2003, reservations were entered by the Syrian Arab Republic to article 2; article 9, paragraph 2; article 15, paragraph 4; article 16, paragraph 1 (c), (d), (f) and (g); article 16, paragraph 2; as well as article 29, paragraph 1.

5. During the same period, objections to reservations were received from Austria, Denmark, Finland, Germany, France, the Netherlands, Sweden and the United Kingdom of Great Britain and Northern Ireland.

II. Status of the Optional Protocol to the Convention

6. By its resolution 54/4 of 6 October 1999, the General Assembly adopted the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The Optional Protocol entitles individuals and groups of individuals to submit communications concerning alleged violations of the Convention in a State party to the Convention and the Optional Protocol to the Committee on the Elimination of Discrimination against Women, and also allows the Committee to inquire of its own motion into grave or systematic violations of the Convention. The Optional Protocol was opened for signature, ratification and accession at United Nations Headquarters on 10 December 1999 and entered into force on 22 December 2000.

7. As at 31 July 2003, 75 States had signed the Optional Protocol and 54 had ratified or acceded to it. This represents an increase of 11 ratifications since the submission of the last report. States parties to become party to the Optional Protocol during the period from 1 September 2002 to 31 July 2003 were: Albania, on 23 June 2003, Andorra, on 14 October 2002, Belize, on 9 December 2002, Bosnia and Herzegovina, on 4 September 2002, Canada, on 18 October 2002, Luxembourg, on 1 July 2003, Serbia and Montenegro, on 31 July 2003, Sri Lanka, on 15 October 2002, Sweden, on 24 April 2003, Timor-Leste, on 16 April 2003, and Turkey, on 29 October 2002.

III. Committee on the Elimination of Discrimination against Women

A. Capacity to fulfil its mandate

Fulfilment by States parties of reporting obligations

8. Article 18, paragraph 1, of the Convention provides that States parties undertake to submit reports on the implementation of the Convention within one year after its entry into force for the State party concerned, and thereafter at least every four years and further whenever the Committee on the Elimination of Discrimination against Women so requests.

9. Between 1 August 2002 and 31 July 2003, the following reports of 21 States parties had been received by the Secretary-General: Algeria (second periodic report); Bangladesh (fifth periodic report); Belarus (combined fourth, fifth and sixth periodic report); Bhutan (combined initial, second, third, fourth and fifth periodic report); Democratic People's Republic of Korea (initial report); Dominican Republic (fifth periodic report); Ethiopia (combined fourth and fifth periodic report); Gabon (combined second, third, fourth and fifth periodic report); Gambia (combined initial, second and third periodic report); Germany (fifth periodic report); Guyana (combined third, fourth, fifth and sixth periodic report); Ireland (combined fourth and fifth periodic report); Kuwait (initial and second reports); Kyrgyzstan (second periodic report); Lao People's Democratic Republic (initial, second, third, fourth and fifth periodic reports); Latvia (combined initial, second and third periodic report); Malta (combined initial, second and third periodic report); Nepal (combined second and third periodic report); Nigeria (combined fourth and fifth periodic report); Samoa (combined initial, second and third periodic report); Spain (fifth periodic report).

10. The Committee considered, at its twenty-eighth and twenty-ninth sessions, held from 13 to 31 January 2003 and 30 June to 18 July 2003, respectively, 39 reports submitted by 16 States parties: two combined initial and second periodic reports (Albania and Switzerland); one combined initial, second and third periodic report (Costa Rica); two combined initial, second, third, fourth and fifth periodic reports (Brazil and Congo); two second periodic reports (Morocco and Slovenia); one third periodic report (Slovenia); three combined third and fourth periodic reports (France, Kenya and El Salvador); three fourth periodic reports (Costa Rica, Luxembourg, Japan); one combined fourth and fifth periodic report (Ecuador); six fifth periodic reports (Canada, El Salvador, France, Japan, New Zealand, Norway); and two sixth periodic reports (El Salvador and Norway).

Reports awaiting consideration and overdue reports

11. As at 31 July 2003, reports submitted by 27 States parties had yet to be considered by the Committee. The Committee will consider the reports of eight States parties during its thirtieth session in January 2004.

12. As at 31 July, there were 256 overdue reports, of which 37 were initial reports, 52 second periodic reports, 44 third periodic reports, 45 fourth periodic reports, 47 fifth periodic and 31 sixth periodic reports.

B. Working methods of the Committee

13. The Committee held an informal meeting with States that are not yet party to the Convention at its twenty-eighth session, on 28 January 2003.

14. Based on decisions taken at its twenty-seventh and twenty-eighth sessions, the Committee continued to implement its incremental strategy to encourage reporting by States parties whose reports are more than five years overdue. During the twenty-ninth session, on 16 July 2003, the Committee held a closed meeting with States parties whose reports were more than five years overdue in an effort to contribute to improved adherence by those States parties to their reporting obligations under article 18 of the Convention. This meeting enabled the Committee and participating States parties to identify challenges in reporting, as well as ways and means for overcoming these challenges. States parties were in particular informed about the availability, at their request, of technical assistance from the Division for the Advancement of Women. The Committee also decided that States parties whose initial reports under article 18 of the Convention were more than five years overdue as of 18 July 2003 would receive a letter from the Chairperson of the Committee reminding them of their reporting obligations and drawing attention to the Committee's decision 23/II on combination of overdue reports, as well as to the Committee's reporting guidelines which, inter alia, suggest that reports should be as concise as possible and not exceed 100 pages. The Committee will assess the results of these modalities at its thirtieth session, with particular attention to the implications for the Committee's working methods in the consideration of States parties' reports.

15. As part of its ongoing efforts to enhance its working methods, and in particular to achieve timely consideration of States parties' reports as soon as possible after they are submitted, the Committee will consider, at its thirtieth session, the option of holding meetings in parallel working groups for the consideration of periodic reports submitted under article 18 of the Convention.

16. The Committee's Chairperson, as well as other members of the Committee, participated in a number of meetings related to the functioning of the human rights treaty system. Two members of the Committee participated in the brainstorming meeting convened by the Office of the High Commissioner for Human Rights (OHCHR), in cooperation with the Government of Liechtenstein, held in May 2003 in Malbun, on reform of the human rights treaty body system. The Chairperson and two members of the Committee participated in the second inter-committee meeting, held in Geneva from 18 to 20 June. The Chairperson participated in the fifteenth meeting of persons chairing human rights treaty bodies, held from 23 to 27 June in Geneva. The Committee, at its twenty-ninth session, noted the recommendations and

points of agreement reached at the fifteenth meeting of the persons chairing the human rights treaty bodies and at the second inter-committee meeting, respectively. It considered several of these recommendations and points of agreement and agreed to continue consideration of other issues at future sessions. The Committee concurred with the agreed view of the second inter-committee meeting, and reaffirmed by the fifteenth meeting of the persons chairing the human rights treaty bodies, that the proposal that each State should be allowed to produce a single report summarizing its adherence to the full range of international human rights treaties to which it is a party would not adequately meet the overriding concerns and objectives of strengthening the implementation of human rights obligations at the national level. It also concurred that these concerns and objectives could be met more appropriately by requiring States parties to human rights treaties to prepare an expanded core document which would be regularly updated, as well as treaty-specific targeted reports to individual treaty bodies.

C. Working methods with regard to the Optional Protocol

17. The Committee, at its twenty-eighth session in January 2003, appointed five members of its Working Group on Communications under the Optional Protocol for a two-year period starting in January 2003. The Working Group met informally during the twenty-eighth session, and held its second session from 25 to 27 June 2003. At that session, the Working Group decided to register its first communication and made a number of recommendations, subsequently adopted by the Committee, on the management and implementation of its activities under article 2 of the Optional Protocol.

18. The Committee commenced its work under article 8 of the Optional Protocol at its twenty-eighth session, and continued this work at its twenty-ninth session.

IV. Efforts to encourage universal ratification of the Convention and its Optional Protocol and acceptance of the amendments to article 20, paragraph 1, of the Convention

19. The Special Adviser to the Secretary-General on Gender Issues and Advancement of Women and the Director of the Division for the Advancement of Women have continued their efforts to encourage universal ratification of the Convention and the Optional Protocol, and to ensure acceptance of the amendment to article 20, paragraph 1, of the Convention, which relates to the meeting time allocated to the Committee. For example, they provided information on technical assistance available through the Division to States wishing to become a party to the Convention at the informal meeting held by the Committee on 28 January 2003.

20. A Handbook for Parliamentarians on the Convention and its Optional Protocol had been jointly prepared by the Division for the Advancement of Women and the Inter-Parliamentary Union (IPU). In April 2003, the Special Adviser addressed the 108th Conference of the Inter-Parliamentary Union in Santiago, as well as the eighth Meeting of Women Parliamentarians, to launch the Handbook. A panel discussion to present the Handbook was jointly organized by the Division and IPU on 14 July 2003, during the twenty-ninth session of the Committee, with the participation of a

member of Parliament from Canada and Mexico, respectively, as well as a member of the Committee on the Elimination of Discrimination against Women. The Handbook is being widely disseminated by both the Division for the Advancement of Women and IPU.

21. During the Second Forum for Parliamentarians from Asia and Africa on Human Security and Gender: The Role of the Legislature, organized by the Division and the United Nations Development Programme (UNDP) in Bangkok from 6 to 8 December 2002, members of Parliament from 20 Asian and African countries exchanged views, experiences and lessons learned, and elaborated recommendations for action on using the United Nations Millennium Declaration and the Millennium Development Goals to promote gender equality and on using the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol to realize women's human rights and human security.

V. Technical assistance provided to States parties

22. The Division for the Advancement of Women continues to offer technical assistance to States parties at their request, in particular on reporting under the Convention and on follow-up to the Committee's concluding comments, as well as on ratification of the Convention and its Optional Protocol.

23. The Division, in collaboration with the Economic and Social Commission for Asia and the Pacific (ESCAP), organized a judicial colloquium for senior judicial officers from six countries in Bangkok, from 4 to 6 November 2002, on the use of international human rights treaty law in domestic courts. The judicial colloquium was followed by a training workshop from 6 to 8 November, with the participation of government officials from seven countries of the ESCAP region that had not yet submitted their initial reports. The primary objective of the training workshop was to enhance the capacity of government officials to prepare States parties' reports under article 18 of the Convention and to increase understanding of the legal obligations established in the Convention and thereby enhance opportunities for implementation of the Convention at the national level.

24. The Division participated in a training seminar for non-governmental organizations, lawyers and women's rights activists on the Optional Protocol, organized by the German Institute for Human Rights in Berlin in March 2003. The Division also contributed to a regional workshop on reporting under the Convention held in Apia, Samoa, in April 2003, organized by the Secretariat of the Pacific Community and funded by the New Zealand Agency for International Development, the United Nations Development Fund for Women, UNDP and the Government of Samoa, which was attended by representatives from nine countries, as well as representatives of non-governmental organizations. The Division also participated in the fourth regional workshop on preparation and presentation of reports to international human rights treaty bodies held in Tegucigalpa, Honduras, in May/June 2003, organized by OHCHR in cooperation with the Government of Honduras.

25. The Division, in cooperation with the Government of the United Republic of Tanzania, is preparing a regional judicial colloquium to take place in Arusha from 9 to 11 September 2003 on the application of international human rights law at the domestic level, to be followed by a regional training workshop on reporting under the Convention on the Elimination of All Forms of Discrimination against Women,

from 11 to 13 September. A total of 17 countries from the African region have been invited to nominate participants for these two events.

VI. Dissemination of the Convention, its Optional Protocol and information on the work of the Committee

26. The Division for the Advancement of Women maintains a section on its home page on the Internet dedicated to the Convention and its Optional Protocol and the work of the Committee. The text of the Convention and its Optional Protocol, the reports of States parties, documents prepared for the Committee, the Committee's concluding comments and other relevant information are posted on the CEDAW web page of the Division's web site. Links between the Division's home page and other sites, including that of OHCHR, allow cross-reference to other pertinent documents. OHCHR and the Division for the Advancement of Women maintain a database containing information on the submission of reports by States parties and communications under the various human rights treaties.